

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

ROBERT JAMES,

Plaintiff,

v.

BOWIE COUNTY ANNEX,

Defendant.

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CIVIL ACTION NO. 5:24-CV-83-RWS-JBB

**ORDER**

Plaintiff Robert James, an inmate of the Bowie County Jail Annex, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. § 1983 complaining of alleged deprivations of his constitutional rights. Docket No. 1. The case was referred to United States Magistrate Judge Boone Baxter in accordance with 28 U.S.C. § 636.

On January 17, 2025, the Magistrate Judge issued a Report and Recommendation, recommending that Plaintiff's above-styled civil rights lawsuit be dismissed without prejudice for failure to state a claim upon which relief may be granted and for failure to prosecute or to obey an order of the Court. Docket No. 8. Plaintiff received a copy of this Report on January 21, 2025, but filed no objections. *See* Docket No. 9.

Because no objections have been received, Plaintiff is barred from *de novo* review by the District Judge of the Magistrate Judge's proposed findings, conclusions and recommendations. Moreover, except upon grounds of plain error an aggrieved party is barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *See Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*, Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at \*1 (E.D. Tex. July 31, 2021).

The Court has reviewed the pleadings in the above-captioned case and the Report and Recommendation of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.) (1989) (where no objections to a magistrate judge's report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"). Accordingly, it is

**ORDERED** that the Report and Recommendation of the Magistrate Judge (Docket No. 8) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** that Plaintiff's above-styled civil rights lawsuit is **DISMISSED WITHOUT PREJUDICE** for failure to state a claim upon which relief may be granted and for failure to prosecute or to obey an order of the Court.

**So ORDERED and SIGNED this 26th day of March, 2025.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE